

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

U.S. BANK NATIONAL ASSOCIATION,	:	CIVIL ACTION NO. 1:17-CV-1466
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
BRIAN A. GERBER and TRACY L. GERBER,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 26th day of July, 2018, upon consideration of U.S. Bank National Association's motion (Doc. 10) to dismiss counterclaims and to strike affirmative defenses, and the parties' respective briefs in support of and opposition to said motion (Docs. 11, 21, 22), and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. The motion (Doc. 10) to dismiss counterclaims and to strike affirmative defenses is GRANTED in part and DENIED in part.
2. Counterclaims I and II of defendants Brian A. Gerber and Tracy L. Gerber ("the Gerbers") are DISMISSED. Counterclaim II is dismissed with prejudice.
3. The Gerbers' affirmative defenses 8, 16, 17, 18, 19, 20, 21, and 22 are STRICKEN.

/S/ Christopher C. Conner
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania